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PATENT APPLN. NO. 10/625,724
RESPONSE UNDER 37 C.F.R. §1.111

PATENT
NON-FINAL

IN THE CLAIMS:

1. (currently amended) A nickel metal hydride storage battery comprising a positive electrode comprising nickel hydroxide as a active material, a negative electrode comprising a hydrogen absorbing alloy containing aluminum as a component of the alloy, a separator and an alkaline electrolyte, wherein ~~a complex-forming agent~~ an aromatic carboxylic acid which forms a complex with aluminum ions is included in the negative electrode.

2. (deleted)

3. (original) The nickel metal hydride storage battery according to claim 1, wherein a layer comprising a hydroxide or oxide of an element selected from the group consisting of calcium, strontium, scandium, yttrium, lanthanoids and bismuth is formed on a surface of the positive electrode active material.

4. (deleted)